

REMARKS

The application has been carefully reviewed in light of the Office Action dated October 6, 2003. Claims 48-55, 57-61, 63-65, and 67 have been amended. Claims 1 and 68-72 have been canceled. Claims 48-67 remain pending in this case.

Claims 1, 48-52, 54-68, 71 and 72 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,343,524 to Mu et al. ("Mu") in view of U.S. Patent No. Re. 35,839 to Asai et al. ("Asai"). Applicants respectfully traverse the rejection and request reconsideration.

Claims 1, 68, 71 and 72 have been canceled and therefore the rejection is no longer applicable to those claims.

Claims 48 recites a peripheral apparatus for use with an information processing apparatus, where the information processing apparatus is constructed so as to execute a program read from a rewriting medium, where "the recording medium is stored with a first security code." [Emphasis added]. Claim 48 also recites that the peripheral apparatus is connectable to the information processing apparatus and comprising "memory means stored with a second security code, and a control means which compares the second security code with said first security code." [Emphasis added]. Claim 48 further recites that the peripheral apparatus "transmits confirmation data to the information processing apparatus when the codes coincides with each other whereby a judgment is made as to whether said program read from said recording medium is authentic with respect to the peripheral apparatus."

Mu discloses a security hardware device comparing a security code stored in a PC and a security code stored in the security device with the internal software. Asai discloses comparing a security code stored in a CD-ROM and a security code stored in the CD-ROM device. Even if there were motivation to combine these two references, they still do

not teach or suggest every limitation of claim 48, as required under MPEP § 2143 to establish a *prima facie* case of obviousness. For example, even when combined the two references do not teach that the first security code stored in a recording medium be compared with a second security code stored in memory means of a peripheral apparatus. The Office Action appears to be using the claimed invention as a roadmap to modify the references as to arrive at the claimed invention in a way that is not suggested in either reference.

Referencing Mu, the Examiner appears to regard the security device 10 as the peripheral apparatus of the present invention. (Office Action, at p. 3). FIG. 3 of Mu, however, shows the security device 10 is different from a peripheral apparatus to be connected to the peripheral device connector 34. Referencing Asai, the Examiner states that FIG. 1B shows a security code being read into the boot sector of the computer (i.e. “information processing apparatus”). (Office Action, at p. 3). FIG. 1B, however, reveals only the boot sector of the CD-ROM drive. Further, the CD-ROM of Asai is different from the peripheral apparatus as claimed in amended claim 48, which comprises a manipulative input means; and, Asai does not disclose or even suggest a “first security code, which is read from said recording medium into said information processing apparatus and supplied from said information processing apparatus to the peripheral apparatus,” as recited by claim 48.

For at least these reasons, claim 48 is allowable over Mu and Asai and withdrawal of the rejection is respectfully requested.

Claim 49 recites a peripheral apparatus comprising “a control means which compares the first security code with a second security code related to said application program and supplied from said information processing apparatus, and transmits confirmation data to the information processing apparatus when the first and second security codes coincide.” Claim 49 is allowable for at least those reasons given above in

connection with claim 48, and also because none of the cited references teach or suggest the inventive combination defined by claim 49.

Claim 54 recites an information processing system comprising an information processing apparatus and a peripheral apparatus provided with “a signal processing means which compares [a] second security code with [a] first security code which the information processing apparatus reads from [a] recording medium and transmits to said peripheral apparatus, and transmits confirmation data to said information processing apparatus when the first security code coincides with the second.” Claim 54 is allowable for at least those reasons given above in connection with claim 48, and also because none of the cited references teach or suggest the inventive combination defined by claim 54.

Claim 57 recites an information processing method comprising, *inter alia*, “reading an application program and a first security code stored in [a] recording medium into [an] information processing apparatus when the recording medium is coupled to said information processing apparatus.” Claim 57 also recites “comprising a second security code, which is stored in advance in [a] peripheral apparatus, with said first security code.” Claim 57 is allowable for at least those reasons given above in connection with claim 48 and also because none of the cited references teach or suggest the inventive combination defined by claim 57.

Claims 50-53, 55-56 and 58-67 depend from claims 48, 49, 54, and 57, and are allowable for at least the reasons explained above with reference to claims 48, 49, 54 and 57 and also because the cited reference, do not teach or suggest the respective inventive combination defined by claims 50-53, 55, 56 and 58-67.

Claims 53, 69 and 70 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mu in view of Asai and further in view of U.S. Patent No. 5,544,083 to Iizuka et al. (“Iizuka”). Applicants respectfully traverse the rejection and request reconsideration.

Claims 69 and 70 have been canceled and therefore the rejection is no longer applicable with regard to those claims.

Claim 53 depends from claims 48 and is allowable at least for the reasons discussed above. The Office Action relies on Iizuka for its teaching of “a pen type object.” (Office Action, at p. 5.) Iizuka does not, therefore, cure the deficiencies of Mu and Asai as discussed above.

In addition, claim 53 recites a peripheral apparatus comprising: “a tablet having X and Y matrix electrodes for emitting radio waves; a pen type object having an antenna for receiving the radio waves emitted from said matrix electrodes and a switch; and a page sensor for detecting a type and a page of a picture book placed on said tablet, wherein an instruction in said program is defined by positioning said pen type object at a predetermined location in said picture book placed on said tablet.” (Emphasis added).

None of the cited references teach or suggest all of these limitations recited by claim 53. For at least these reasons, the cited references do not render obvious the claimed invention. Reconsideration and withdrawal of this rejection under 35 U.S.C. 103(a) is, therefore, respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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